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EXAMINER

HONG, HYUN J

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2623

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/755,036	Applicant(s) BIELAK, STANLEY	
	Examiner Hyun J. Hong	Art Unit 2623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 1/07/08.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

Regarding claim 1, applicant's arguments have been fully considered but they are not persuasive. Applicant argues that Owens does not disclose adding placeholder slides corresponding to a user poll, quiz, or website link. Examiner disagrees. Owens discloses a method and system for computerized authoring and evaluation, including adding slides that correspond to a quiz (fig. 9 and fig. 12). It would be obvious for one to incorporate the quizzes of Owens into the media presentations of Huggins. This would allow the creator of the presentation to evaluate the usefulness of his presentations through the results of the quizzes (col. 5 lines 60-67 of Owens). Roelens discloses a video display method with time stamps. Applicant argues that the combination of Roelens, Owens, and Huggins appears to be the result of hindsight. Examiner disagrees.

In response to applicant's argument that the examiner's conclusion of obviousness is based upon improper hindsight reasoning, it must be recognized that any judgment on obviousness is in a sense necessarily a reconstruction based upon hindsight reasoning. But so long as it takes into account only knowledge which was within the level of ordinary skill at the time the claimed invention was made, and does not include knowledge gleaned only from the applicant's disclosure, such a

reconstruction is proper. See *In re McLaughlin*, 443 F.2d 1392, 170 USPQ 209 (CCPA 1971).

Considering that the media presentation of Huggins in view of Owens is an audio/video presentation, it would be obvious to incorporate the video display method of Roelens into the presentation system of Huggins in view of Owens. The time stamps of Roelens ensure that the video frames of the presentation are displayed correctly and in order. The time stamps also ensure that video is synchronized properly with the audio of the presentation.

Regarding claim 3, applicant's arguments have been considered but are moot in view of the new grounds of rejection. Although a new ground of rejection has been used to address additional limitations that have been added to claim 3, a response is considered necessary for several of applicant's arguments since reference Coughlin will continue to be used to meet several claimed limitations. Applicant argues that Coughlin teaches that the user has to log on a separate website to participate in the poll. Examiner agrees upon applicant's assumption. However, claim 3 does not contain any limitations that contradict this teaching. While the user has to log on to the teacher's website to participate in the poll, the user is still responding to the quiz on his local computer.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1, 2, 6, 16-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huggins (US 2004/0225743) in view of Owens (US 6,315,572) further in view of Roelens (US 2005/0021811).

Regarding claim 1, Huggins discloses a method for creating a presentation

Adding placeholder slides (fig. 10),

Uploading the presentation into the remote server which is accessible to end-users ([0023]),

However Huggins does not disclose slides corresponding to user polls, quizzes, or website links accessible via a remote server.

In analogous art, Owens discloses user quizzes (fig. 12).

It would have been obvious to combine the user quizzes of Owens into the presentation of Huggins in order. This would improve the presentation by making it more interactive for the user.

Huggins in view of Owens also does not disclose taking a video stream including a plurality of video frames, each said video frame including a time stamp; and

sequentially displaying said video frame by frame on said display device, starting from an initial video frame of said video stream.

In analogous art, Roelens discloses taking a video stream including a plurality of video frames, each said video frame including a time stamp; and sequentially displaying said video frame by frame on said display device, starting from an initial video frame of said video stream ([0008,0009]).

It would have been obvious to combine the video frame display of Roelens into the presentation of Huggins in view of Owens. This ensures that the video and audio of the presentation are synchronized.

Regarding claim 2, Huggins in view of Owens in view of Roelens discloses a method for playing a presentation including polls or quizzes comprising:

Receiving a presentation from a remote server ([0024] of Huggins)

Sequentially playing the frames, starting from an initial frame of the stream of data ([0008, 0009] of Roelens),

Selecting from a table of contents being displayed on a display device of a local computer, content related to a poll or quiz to be accessed by the end user (col. 9 lines 27-34, fig. 8 of Owens).

Regarding claim 6, Huggins in view of Owens in view of Roelens discloses The method of displaying a presentation according to claim 2, wherein the polls or quiz results are stored for later analysis (col. 5 lines 62-63 of Owens).

Regarding claim 16, see claim 1.

Regarding claim 17, see claim 2.

Claims 3, 7-14, 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coughlin (US 2003/0034999) in view of Roelens (US 2005/0021811) further in view of Owens (US 6,315,572)

Regarding claim 3, Coughlin discloses a method of communicating between a presentation program; said program being stored on a computer readable medium executable by computer, and a server including interactive media when said presentation is being viewed by a user, said method comprising:

Communicating a request for poll or quiz to the remote server ([0092]);

Receiving a stream of data from the server, including poll or quiz information ([0092]);

Responding to the poll or quiz at a local by an end user ([0093] and uploading the poll or quiz results to the remote server ([0093] *Sends response to a web server*).

Placeholder slides corresponding to user polls, quizzes or website links accessible via a remote server (fig. 17),

However, Coughlin does not specifically disclose wherein said presentation includes video stream including a plurality of video frames, each said video frame

including a time stamp; sequentially displaying said video frame by frame on a display device, starting from an initial video frame of said video stream;

In analogous art, Roelens discloses wherein said presentation includes video stream including a plurality of video frames, each said video frame including a time stamp; sequentially displaying said video frame by frame on a display device, starting from an initial video frame of said video stream ([0008, 0009]);

Therefore, it would have been obvious to combine the video frame display of Roelens into the presentation of Coughlin. This ensures that the video and audio of the presentation are synchronized.

However, Coughlin in view of Roelens does not specifically disclose wherein said end user selecting from a table of contents being displayed on a display device of a local computer, content related to a poll or quiz to be accessed by the end user.

In analogous art, Owens discloses wherein said end user selecting from a table of contents being displayed on a display device of a local computer, content related to a poll or quiz to be accessed by the end user (col. 9 lines 27-34, fig. 8).

Therefore, it would have been obvious to combine the table of contents of Owens into the presentation system of Coughlin in view of Roelens. This allows the user to easily select a presentation from a list of presentations.

Regarding claim 7, Coughlin in view of Roelens further in view of Owens discloses The method according to claim 3, further comprising:

monitoring usage of said presentation ([0030] of Coughlin);

recording information regarding each user's usage of said presentation, wherein said information includes information regarding when said user exits a presentation ([0031] of Coughlin);

Regarding claim 8, Coughlin in view of Roelens further in view of Owens discloses The method according to claim 7, wherein said information include information regarding which user watched which particular presentation and how far the user watched said presentation and how much time said user spent watching said presentation ([0031] of Coughlin).

Regarding claim 9, Coughlin in view of Roelens further in view of Owens discloses The method according to claim 7, wherein said information is reported and/or displayed to a user and/or presentation owner ([0030] of Coughlin).

Regarding claim 10, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 3, wherein said polls or quiz results are stored for later analysis (col. 5 lines 62-63 of Owens).

Regarding claim 11, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 3, wherein said presentation indexing a video and slides to allow a user to jump to different portions of the presentation (col. 9 lines 27-34, fig. 8 of Owens).

Regarding claim 12, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 3, wherein said presentation is paused for a poll or quiz when the poll or quiz is initiated by said user or required by said presentation ([0092] of Coughlin).

Regarding claim 13, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 3, wherein said presentation program synchronizes a video with active server pages references that point to specific polls or quizzes ([0092] of Coughlin).

Regarding claim 14, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 3, wherein an end user accesses said presentation by providing a valid authorization key (fig. 15 of Coughlin).

Regarding claim 18, see claim 3.

Claims 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huggins (US 2004/0225743) in view of Owens (US 6,315,572) further in view of Roelens (US 2005/0021811) as applied to claim 1 above, further in Coughlin (US 2003/0034999).

Regarding claim 4, Huggins in view of Owens further in view of Roelens discloses the method according to claim 1, further comprising collecting indexing and other data from a server database and displaying said indexing and other data to a presentation's author creating indexes for users to look up presentations based on content (col. 9 lines 27-34, fig. 8 of Owens).

However, Huggins in view of Owens further in view of Roelens does not disclose log-on that validates authors.

In analogous art, Coughlin discloses log-on that validates authors (fig. 10).

Therefore, it would have been obvious to combine the validation of Coughlin into the presentation system of Huggins in view of Owens further in view of Roelens. This would prevent any unauthorized editing of a presentation.

Claims 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Huggins (US 2004/0225743) in view of Owens (US 6,315,572) further in view of Roelens (US 2005/0021811) as applied to claim 1 above, further in view of Mills (US 2004/0010470).

Regarding claim 5, Huggins in view of Owens further in view of Roelens discloses a method according to claim 1, wherein said presentation is hosted by said remote server, and said remote server hosting presentations user tracking and monitoring (col. 5 lines 60-67 of Owens) indexing for users to look up select presentations (col. 9 lines 27-34, fig. 8 of Owens).

However, Huggins in view of Owens further in view of Roelens does not disclose encrypting presentation content and deploying licenses for viewing protected content.

In analogous art, Mills discloses Encrypting presentation content and deploying licenses for viewing protected content ([0034]).

Therefore, it would have been obvious to combine the encryption of Mills into the presentation system of Huggins in view of Owens further in view of Roelens. This would prevent any unauthorized access of the presentations.

Claims 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Coughlin (US 2003/0034999) in view of Roelens (US 2005/0021811) further in view of Owens (US 6,315,572) as applied to claim 14 above, further in view of Mills (US 2004/0010470).

Regarding claim 15, Coughlin in view of Roelens further in view of Owens discloses the method according to claim 14 and presentation program shutdown (fig. 41 “X” of Coughlin). However, Coughlin in view of Roelens further in view of Owens does not disclose presentation program shutdown if the user attempts to access an encrypted presentation without an authorized key.

In analogous art, Mills discloses presentation program shutdown if the user attempts to access an encrypted presentation without an authorized key ([0034] of Mills).

It would have been obvious to combine the encrypted presentation of Mills into the presentation system of Coughlin in view of Roelens further in view of Owens. This would prevent unauthorized use of the presentation program.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hyun J. Hong whose telephone number is (571)270-1553. The examiner can normally be reached on M-F (9:30a-7:00p).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vivek Srivastava can be reached on (571)272-7304. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/H. J. H./
Examiner, Art Unit 2623

/Vivek Srivastava/
Supervisory Patent Examiner, Art Unit 2623